

## Definition of a temporary restaurant

A temporary restaurant is a food establishment that operates at a fixed location for a period of no more than 14 days in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, anniversary sale or occasional sales promotion.

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) or a Local Public Health Department, acting as an agent of the state, hereby referred to as regulatory authority, may limit or modify the nature of the food service or the food being served to protect the health and safety of the general public. Temporary food stand operators may be limited in terms of type of food served, methods of preparation and storage, the number of persons served or the type of utensils.

## Why is a permit necessary?

The requirement of the permit and/or inspection is to ultimately ensure that the public is receiving the safest food possible and to prevent food borne outbreaks.

Chapter ATCP 75 states no person may operate a retail food establishment without a valid license issued by the department or an agent municipality or county. Licenses expire on June 30 annually. Each retail food establishment shall have a separate license, which shall be prominently displayed in the retail food establishment. A license is not transferable between persons or establishments.

## Where do I get a license?

If you will be operating in more than one county in Wisconsin, you will need to get a DATCP license. Each jurisdiction may charge an inspection fee, but they will not issue another license. If you will only be operating in one jurisdiction, you will get a license from that agent health department.

jurisdiction, you will get a license from that agent health department.

## What type of license do I need?

If any meals are served (hamburgers, brats, hot dogs, corn on the cob, deep fried vegetables, french fries, etc) a temporary restaurant license will be issued. If only non-meals are served (ice cream, bakery, coffee, cheese curds, popcorn, lemonade, etc) a retail temporary will be issued.

## Temporary Food Stand Requirements

### 1. Food Stand Construction

**Cooking/Serving Areas:** All cooking and serving areas shall be protected from contamination. Cooking/grill areas shall be effectively segregated from the public, by roping or taping off the area, or otherwise restricting the access.

**Roof and Sidewalls:** No food stand may operate without a roof and sidewalls unless otherwise approved by regulatory authority. The roof and sidewalls serve to provide protection from splash, dust, and inclement weather. Examples of approved materials include wood, canvas, plastic, etc.

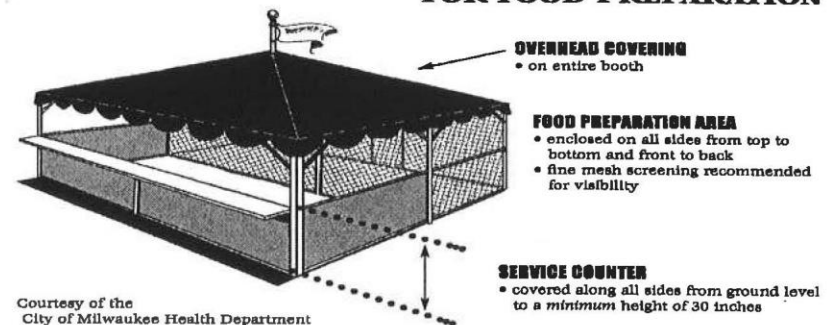
**Screening:** All food preparation and utensil washing areas must be fully enclosed with fine mesh fly screening, unless approval to operate without screening has been granted by regulatory authority. Effective air curtains are also allowed.

**Floors:** Floors shall be maintained in sanitary condition. Dirt floors shall be covered with approved material to provide protection from contamination. Approved materials include concrete, asphalt, wood racks or duct boards, plywood, etc. The use of saw dust or similar dust producing material is prohibited.

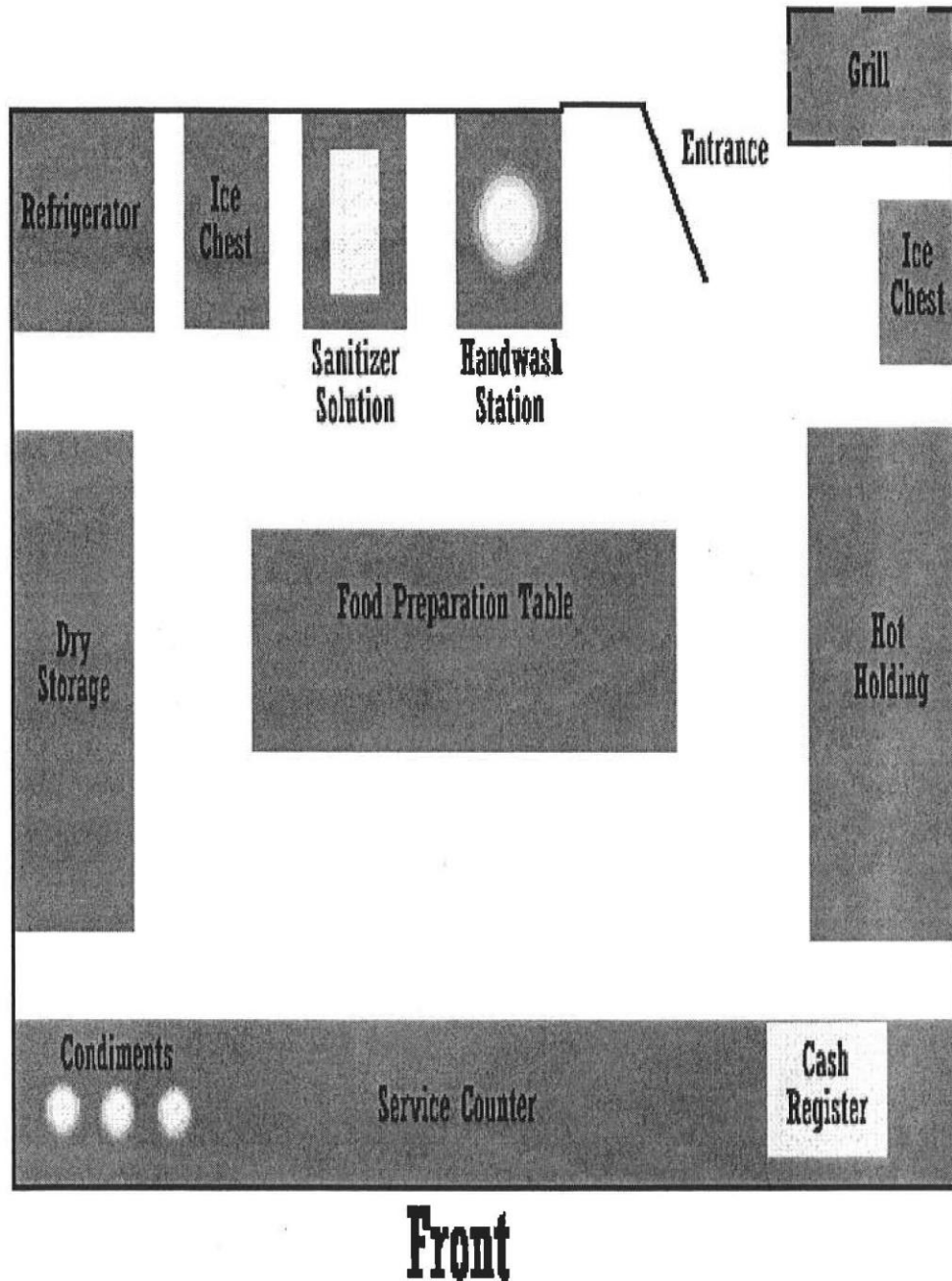
**Location:** No food stand may be located within 100 feet of an area where animals are housed. It is important to remember to keep animals and food separated. Animal waste should not run off or drain towards food areas. The slope and accessibility from the potential contamination source is as important as the separation distance.

See page 4 for an example of proper food stand setup. Also see below for an example of proper tent setup for food preparation areas.

### PROPER TENT SETUP FOR FOOD PREPARATION



## Food Stand Set up-Example



## 2. Food

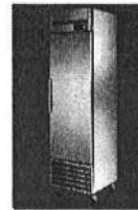
**Source:** All foods must be from an approved source. Documentation as to where food is purchased shall be available upon request. Food must be prepared at the temporary food stand or at an approved facility. **Food prepared at home is not allowed.**

**Potentially Hazardous Food:** An animal food that is raw or heat treated; a food of plant origin that is heat-treated or consists of raw seed sprouts, cut melons, or garlic-in-oil mixtures capable of supporting growth of infections or toxigenic micro-organisms. Examples included are hamburgers, hotdogs, chicken, custard, cooked rice, cut melons, etc.

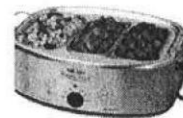
**Cooking:** All parts of potentially hazardous foods must reach the required internal temperature found in the Wisconsin Food Code (WFC). For example, poultry and stuffed meats must reach 165°F, ground meats like hamburgers and brats, 155°F; and other potentially hazardous foods, 145°F.

**Game Animals:** Wild game animals may not be served to the general public. Examples of wild game animals are venison, emu, ostrich, etc.

**Dry Storage:** All food, equipment, utensils, and single service items shall be stored in a clean, dry location above the floor/ground on pallets or shelving, and protected from contamination.



**Cold Storage:** Mechanical refrigeration units shall be provided to keep **potentially hazardous foods at 41°F or below**. Regulatory authority must approve ice storage of potentially hazardous foods in an effectively insulated container. Store all potentially hazardous raw foods below ready-to-eat foods. If using an ice chest, store raw product in a separate cooler from ready-to-eat foods.



**Hot Holding:** **Potentially hazardous foods shall be kept at 140°F or above.** Only approved hot holding equipment shall be used. Nesco roasters, pizza ovens, steam tables, or other NSF-approved hot holding equipment, for example.

**Reheating:** Previously cooked and refrigerated potentially hazardous food must be rapidly heated to a temperature of 165°F within two hours before serving. Steam tables and crock-pots may not be used to reheat potentially hazardous food.

**Date Marking:** Ready-to-eat potentially hazardous food stored for more than 24 hours must be labeled with the date of preparation and used or discarded within 7 days. Discard undated ready-to-eat, potentially hazardous refrigerated food when held for more than 24 hours after opening or preparing.

**Consumer Advisory:** When any animal product is served raw, undercooked or otherwise not prepared to eliminate pathogens in a ready-to-eat form, the operator shall inform the consumer. A notice can be posted at a visible location on the food stand or with the menu.

**Wet Storage:** Unpackaged food may not be stored in direct contact with ice. Packaged food may be stored in ice or water if the food is enclosed to prevent permeation of the ice or water. Wet storage of canned or bottled non-hazardous beverages is acceptable when the water is clean and contains at least 50 ppm of available chlorine.

**Thawing:** Foods must be thawed in refrigeration units, completely submerged under running water, or in the microwave as part of the cooking process.

**Food Display:** All foods and condiments shall be protected from contamination by the use of packaging, food shields, display cases, or other effective means.

**Condiment Dispensing:** Condiments (i.e. sugar, cream, relish, onions, pickles, mustard, ketchup, etc.) shall be served from individual packages or approved, easily cleanable dispensers, unless served by employees.

**Preparation of Fruits and Vegetables:** Carefully and thoroughly wash surfaces of raw fruits and vegetables.

### 3. Person in Charge

**Demonstration of Knowledge:** The person in charge shall demonstrate to the inspector, upon request, knowledge of foodborne disease prevention as it relates to their specific food processes and general food code requirements. There shall be a designated person in charge at all times the food stand is operating.

### 4. Water Supplies

**Approved source:** Water shall be from an approved potable source. Hot and cold (or tempered) water for utensil washing and handwashing must be provided.

**Water Under Pressure:** Food stands preparing potentially hazardous foods shall have water under pressure unless otherwise approved by regulatory authority. Food stands shall have an ample supply of water available.

**Food Source Limitation:** When water under pressure is not available, regulatory authority may limit foods served to those which require little preparation (i.e., hotdogs, bratwurst, frozen hamburger patties, prepackaged sandwiches).

**Containers:** Food stands without water under pressure shall store the water in food grade containers, which are easily cleanable and have tight-fitting covers. These containers are to be used for water storage only.

**Hot Water:** An adequate supply of hot water shall be available.

**Water Hoses:** All water hoses shall be constructed of food grade material, and elevated off the ground to prevent contamination.

**Backflow/Backsiphonage Protection:** An approved backflow/backsiphonage prevention device shall protect water supplies connected to hoses. Chicago Faucet Co., LDR Industries, and Merrill Manufacturing are a few companies that produce approved backflow devices.

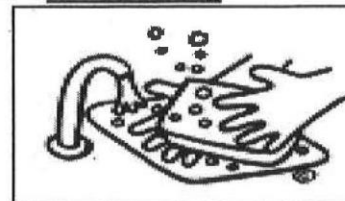
### 5. Utensils and Equipment

**Utensil Use:** Use separate utensils for raw foods and for ready to eat foods. Use separate cutting boards for meat, poultry, raw fruits and vegetables, or wash, rinse and sanitize between uses.

**Construction:** All equipment and utensils, including plasticware, shall be sturdy and durable. Equipment and utensils shall be easily cleanable.

**Cooking Devices:** Barrels and other containers that have been used for the storage of toxic products shall not be used as a cooking device.

### 6. Handwashing

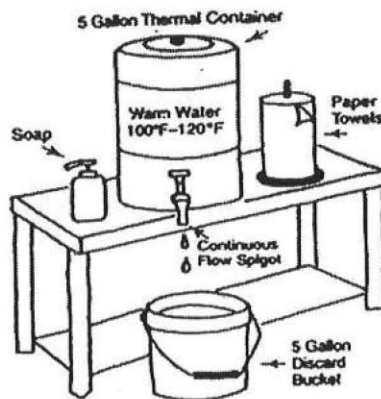


**Soap and Towels:** All employee handwashing facilities shall have hand soap and a supply of single service paper towels at all times.

**Frequency:** Hands and exposed portions of arms must be washed:

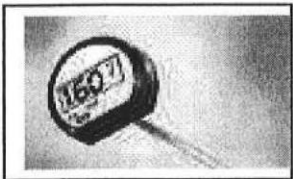
- ◆ before starting work
- ◆ before engaging in food preparation
- ◆ after eating, using tobacco or any other activity that may dirty hands
- ◆ after handling raw meat
- ◆ after coughing, sneezing or using a tissue

**Required Facilities:** When water under pressure is not available, handwashing facilities shall consist of a covered insulated container of at least a five gallon capacity with a valve that allows a continuous flow of water over the hands. There must be a large enough container to catch the hand washing wastewater so as not to create a hazard. Waste water shall be properly disposed of in a municipal sewer system or approved septic system.



**No Bare Hand Contact With Ready-to-Eat Foods:** Food employees may not contact ready-to-eat food with their bare hands. Food employees shall use utensils, deli tissue, spatulas, tongs, single-use gloves, etc. when handling ready-to-eat food.

**Hand Sanitizers:** Hand sanitizers may only be applied to hands that have been thoroughly washed. Hand sanitizers are not an acceptable substitution for thorough handwashing.



## 7. Thermometers

**Refrigerators:** Each cold storage unit for potentially hazardous food shall have a thermometer to accurately measure the air temperature of the unit. Refrigerators must be able to hold potentially hazardous foods at 41°F or below.

**Metal Stem Thermometer:** A metal stem thermometer shall be provided where necessary to check the internal temperatures of both hot and cold food. Thermometers must be accurate and have a range of 0°-220°F.

## 8. Personnel

**Health:** Employees with the below stated symptoms must be restricted from the preparation or serving of food, however the employee may complete other job tasks that do not involve the direct handling of food, single-service utensils, clean equipment, or linens.

- ◆ fever
- ◆ diarrhea
- ◆ jaundice
- ◆ sore throat with fever
- ◆ a lesion containing pus that is open or draining

An employee diagnosed with one of the following illness listed below must be excluded and not permitted to work at all.

- ◆ E. coli
- ◆ Hepatitis A
- ◆ Shigella species
- ◆ Salmonella typhi
- ◆ Any other illness transmissible through food

**Hygiene:** Food preparation employees shall have clean outer garments, effectively restrained hair, maintain a high degree of personal cleanliness and conform to good hygienic practices.

**Eating, drinking and tobacco use:** Areas designated for employees to eat, drink, and use tobacco shall be located so that food, equipment, utensils, etc., are protected from contamination.

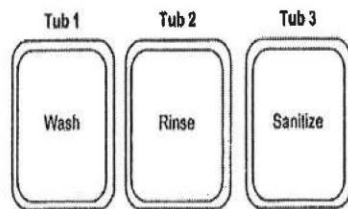
## 9. Cleaning and Sanitizing

**Sinks Required:** When multi-use utensils are being used, hot and cold water under pressure and a three-compartment sink are required, unless the mobile unit will be returning to its base within 24 hours. Sink compartments must be sized to accommodate 50% of the largest utensil to be cleaned and sanitized in the sink. When utensils are limited to tongs, spatulas, and cutting boards, three dishpans of adequate size may be used for washing, rinsing, and sanitizing.

**Cleaning Procedure:** Utensils and equipment must be washed after each use in the following manner: 1) pre-scrape into a garbage receptacle, 2) wash in an effective detergent, 3) rinse in clean water, 4) immerse in an approved sanitizer at required strength, and 5) an approved air-dry method.

See example setup for dishwashing procedures on next page.





**Wiping Cloths:** Cloths that are used for wiping food spills shall be used for no other purpose. Wet cloths must be stored in a chemical sanitizer at concentrations specified by the manufacturer. Dry cloths must be free of food debris and soil.

**Approved Test Kit:** An approved test kit for the type of sanitizer used must be available and used for checking the concentration of sanitizer solutions.

#### 10. Single-Service Utensils

**Storage:** All single-service utensils shall be stored in the original closed container in a clean, dry location protected from dust, rain, insects, and other contamination and be stored off the floor/ground.

**Dispensing:** Single-service items such as straws, knives, forks, spoons, toothpicks, etc., unless dispensed by an employee, shall be displayed and dispensed in a manner that prevents contamination.



#### 11. Ice Handling/Storage

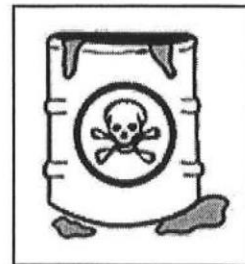
**Drink Ice:** All ice intended for human consumption shall not be used for any other purpose and shall be from an approved source.

**Dispensing:** Ice for human consumption shall be stored in a self-draining approved container. Containers of drink ice shall be covered when ice is not immediately dispensed. Melted water shall be disposed in a location that does not create a nuisance or hazard.

#### 12. Toxic or Poisonous Products

**Use:** Poisonous or toxic material may not be used in a way that contaminates food, equipment, or utensils, or in a way that constitutes a hazard to employees or other persons.

**Labeling:** Containers of poisonous/toxic materials shall be prominently and distinctly labeled for easy identification.



#### 13. Wastewater Disposal

**Connection to Approved System:** Connection shall be made to an approved sewage system where available.

**Wastewater Storage/Disposal:** When an approved system is not available, each food booth shall provide a container of sufficient size for collection of liquid wastewater. Wastewater storage containers shall be emptied when necessary into a sanitary sewer. If a public sewer is not available, wastewater disposal shall be at a location that will not create a fly, odor, and hazard or nuisance problem. Liquid waste containers shall be maintained in a sanitary condition and emptied as needed to prevent a nuisance.

#### 14. Garbage and Refuse

**Storage:** Garbage and recyclables shall be kept in durable or disposable insect-proof containers. Containers used in food protection areas and utensil washing areas shall be kept covered.

**Removal:** Garbage and refuse shall be routinely removed from the immediate area around the food booth to prevent the attraction of flies and the creation of odor and nuisance problems.